

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DOLPHIN DIRECT EQUITY
PARTNERS, LP, et al.,

Plaintiffs,

-against-

INTERACTIVE MOTORSPORTS AND
ENTERTAINMENT CORPORATION,
et al.,

Defendants.

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USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 6-26-08

08 Civ. 1558 (RMB) (HBP)

ORDER

PITMAN, United States Magistrate Judge:¹

A conference having been held on June 23, 2008 during which several discovery and scheduling issues were discussed, for the reasons stated on the record in open court, it is hereby ORDERED that:

1. Defendants are directed to answer all interrogatories served by plaintiffs and to produce all documents requested by plaintiffs; all of defendants' objections are waived as a result of their failure to assert objections in a timely manner.

¹This matter was initially designated to Magistrate Judge Eaton. It was not referred to Magistrate Judge Eaton, however, until the present discovery dispute arose at which time Judge Eaton recused himself because counsel for plaintiffs had formerly served as Judge Eaton's law clerk. Because the discovery dispute required expeditious resolution, Judge Eaton requested that I address the present discovery dispute until another magistrate judge could be designated through the court's ordinary process.

2. The deadline for the completion of all discovery is extended to July 31, 2008; all discovery requests are to be served such that discovery is complete by that date.

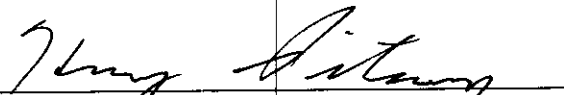
3. Defendant William Donaldson is directed to appear for his deposition on July 14, 2008.

Defendants are warned that an unjustified failure to comply with this Order will result in the imposition of sanctions which may include the entry of a default judgment. Defendants' present counsel is withdrawing from this matter, and defendants are advised that delay in retaining new counsel will not constitute good cause for failure to comply with this Order.

MR. CACOULIDIS IS DIRECTED TO PROVIDE A COPY OF THIS ORDER TO EACH OF THE DEFENDANTS AND TO EXPLAIN ITS IMPORT TO THEM.

Dated: New York, New York
June 25, 2008

SO ORDERED


HENRY PITMAN
United States Magistrate Judge

Copies transmitted to:

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